

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

MEMBERS:  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

October 30, 2006

James G. Woodward, Clerk  
3,300 Thomas F. Eagleton  
United States Courthouse  
111 South Tenth Street  
St. Louis, MO 63102-1116

Re: MDL-1629 -- In re Neurontin Marketing, Sales Practices and Products Liability Litigation (CRO)  
MDL-1736 -- In re Celexa and Lexapro Products Liability Litigation (CTO-10)

*Amanda Marie Diana v. Pfizer Inc., et al.*, D. Massachusetts, C.A. No. 0:06-3332  
(D. Minnesota, C.A. No. 0:06-3332)

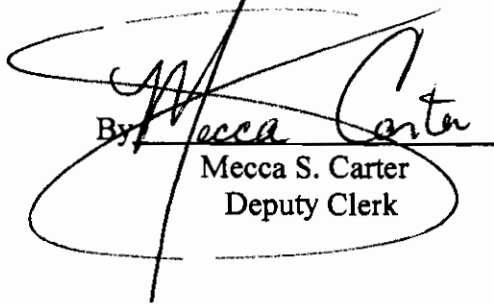
Dear Mr. Woodward:

I am enclosing a certified copy of an order filed today by the Panel vacating the Conditional Transfer Order (CTO-7) in MDL-1736 the above-captioned matter.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By

  
Mecca S. Carter  
Deputy Clerk

Enclosure

cc: Transferee Judge: Judge Rodney W. Sippel  
Transferor Judge: Judge Patrick J. Schiltz  
Transferor Clerk: Richard Sletten

**A CERTIFIED TRUE COPY**

OCT 30 2006

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT 30 2006

FILED  
CLERK'S OFFICE.

**DOCKET NOS. 1629 AND 1736**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**MDL-1629 -- IN RE NEURONTIN MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

**MDL-1736 -- IN RE CELEXA AND LEXAPRO PRODUCTS LIABILITY  
LITIGATION**

*Amanda Marie Diana v. Pfizer Inc., et al.*, D. Massachusetts, C.A. No. 1:06-11774  
(D. Minnesota, C.A. No. 0:06-3332)

**MDL-1736 ORDER VACATING CONDITIONAL TRANSFER ORDER,  
MDL-1629 SEPARATION OF CLAIMS AND  
CONDITIONAL REMAND ORDER, AND  
MDL-1736 CONDITIONAL TRANSFER ORDER (CTO-10)**

On September 18, 2006, the above-captioned action (*Diana*) was transferred in its entirety by the Panel to the District of Massachusetts for inclusion in the coordinated or consolidated pretrial proceedings occurring in MDL-1629. It appears that *Diana* contains: 1) claims relating to ingestion of the prescription drug Neurontin that are appropriate for inclusion in MDL-1629, and 2) claims relating to ingestion of the prescription drug Celexa that are appropriate for inclusion in MDL-1736.

Unaware of the dual nature of the claims in *Diana*, the Clerk of the Panel filed a second conditional transfer order in this action on September 25, 2006, this time in MDL-1736. In the absence of any opposition, that second conditional transfer order was finalized with respect to *Diana* on October 11, 2006. The action was purportedly transferred, again in its entirety, from the District of Minnesota to the Eastern District of Missouri for inclusion in the coordinated or consolidated pretrial proceedings occurring there in MDL-1736. As noted above, however, at the time of the MDL-1736 conditional transfer order, *Diana* had already been transferred to the District of Massachusetts and was no longer pending in the District of Minnesota (and thus not susceptible to the transfer from the Minnesota district to the Eastern District of Missouri that was contemplated in the MDL-1736 order).

IT IS THEREFORE ORDERED that the Panel's conditional transfer order in MDL-1736, designated as "CTO-7" and filed on September 25, 2006, is VACATED insofar as it relates to this action.

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IT IS FURTHER ORDERED that all Celexa claims in *Diana*, currently pending in the District of Massachusetts in MDL-1629, be separated and simultaneously remanded to the District of Minnesota pursuant to 28 U.S.C. § 1407(a).

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), the resulting Celexa action is transferred under 28 U.S.C. § 1407 from the District of Minnesota to the Eastern District of Missouri for the reasons stated in the MDL-1736 transfer order of February 16, 2006, 416 F.Supp.2d 1361 (J.P.M.L. 2006), and, with the consent of that court, assigned to the Honorable Rodney W. Sippel.

This order does not become effective until it is filed in the offices of: 1) the Clerk of the United States District Court for the District of Massachusetts; and 2) the Clerk of the United States District Court for the Eastern District of Missouri. The transmittal of this order to said Clerks shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), R.P.J.P.M.L., and coinciding with the effective date of this order, that the parties shall furnish the Clerk for the District of Massachusetts with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

FOR THE PANEL:



Jeffrey N. Lüthi  
Clerk of the Panel